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THE GAP, INC., a/k/a, GAP, INC., GAP INTERNATIONAL
7 SALES, INC., BANANA REPUBLIC, LLC, AND OLD NAVY,
LLC

8 UNITED STATES DISTRICT COURT
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10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 ROOTS READY MADE GARMENTS CO.
13 W.L.L.,

14 Plaintiff,

15 v.

16 THE GAP, INC., a/k/a, GAP, INC., GAP
INTERNATIONAL SALES, INC., BANANA
17 REPUBLIC, LLC, AND OLD NAVY, LLC

18 Defendants.
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Case No. C 07-03363 CRB

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS FIRST
AMENDED COMPLAINT**

1 On August 13, 2007, Defendants The Gap, Inc., Gap International Sales, Inc., Banana
2 Republic, LLC and Old Navy, LLC (collectively "Gap") filed a motion to dismiss the First
3 Amended Complaint filed by Roots Ready Made Garments Co. W.L.L. ("Roots") in this action.
4 Having considered Roots' First Amended Complaint, the papers filed in support of and in
5 opposition to Gap's motion, and the arguments of counsel, the Court hereby **GRANTS** Gap's
6 Motion to Dismiss with prejudice on the basis that Roots' First Amended Complaint fails to state
7 a claim upon which relief can be granted and fails to state the circumstances allegedly
8 constituting fraud with particularity. *See* Fed. R. Civ. P. 9(b) & 12(b)(6).
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10 **IT IS SO ORDERED.**

11 Dated:

12 By: _____
13 CHARLES R. BREYER
14 United States District Court Judge
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